

Before the
Federal Communication Commission
Washington DC 20554

In the Matter of:

Implementing Section 503 Of RAY BAUM’S Act)

Rules and Regulation Implementing The Truth) WC Docket No. 18-335

In Caller ID Act of 2019) WC Docket No 11-39

Reply Comment from the Coalition of Higher Education Assistance Organizations (COHEAO) in response to the FCC Public Notice seeking further comment on Implementing Section 503 of Ray Baum’s Act (Rules and Regulations Implementing the Truth in Caller ID Act of 2009). The purpose for solicitation of comments is to enable the Commission to update the regulations pertaining to the ‘Truth in Caller ID Act.’”

COHEAO as an association has represented its membership of colleges, universities and servicing organizations (billing and collections) since 1981. COHEAO members promote and manage federal campus-based loan programs, institutional loans, grants, and financial wellness education. Frequent communication is the key component in building a framework that encompasses the many responsibilities that both our members and their student’s population have as they navigate from the first year of enrollment to eventual graduation.

The success of our membership’s constituents (college students and student loan borrowers) is critically dependent upon accurate information being delivered utilizing communication platforms that provide quick delivery and are affordable. Today’s students and loan borrowers find traditional communication methods such as postal mail and email to be archaic. Instead, current and recent college students and student loan borrowers normally communicate via mobile phones, texting, social media apps, and to a lesser extent, emails.

According to Merriam Webster’s dictionary, one of the definitions of communication is, “a process by which information is exchanged between individuals.” The Oxford dictionary defines communications as a “means of sending or receiving information, such as telephone lines or computers.”

As the Commission begins the process of evaluating comments and determining its course of action, it is vital that a balanced approach is pursued that will both protect consumers from misleading and illegitimate communications while assuring that communications initiated for legitimate purposes have

the ability to utilize the platforms available today and in the future. It is important to note that the billions of dollars of harm to millions of American consumers from fraudulent spoofing activity as stated in the Notice of Proposed Rulemaking preamble may also create a reverse effect if the rules are written in a way to prevent access to consumers for legitimate purposes. For institutions of higher education and their financial services providers, cutting off communication with students via the use of efficient platforms such as SMS, and automated dialers for the purpose of providing time sensitive information to include enrollment details, college/university financial aid awards, student debt repayment details, and campus activity will negatively impact those who the proposed regulations are seeking to protect.

COHEAO supports the Commission's goal of preventing caller ID spoofing when being used for the purposes of perpetrating fraud and causing potential consumer harm. Continuing to target these types of fraudulent calls whether they originate domestically or internationally can be accomplished by continuing to mirror the statutory language encompassed in the Ray Baum's Act. However, as noted in the proposed rules, there are legitimate purposes for ID spoofing, therefore we encourage the Commission not to travel down a narrow pathway to the point that the regulation would cast an undesirable net of liability over entities that are utilizing spoofing ID for protection of individuals, and in the case of higher education enabling contracting servicers of colleges/universities to spoof the actual name of the institution.

The "Notice of Proposed Rulemaking" seeks comments in regards to the Commission's efforts to redefine the term "text message" to include all electronic transmissions of text, images, sounds or other information that is transmitted to or from a device that is identified as a 10-digit telephone number of N11 service code. Although there are similar formats that do not require a 10-digit telephone number, COHEAO recommends that any expansion of the definition should only be for purposes of addressing spoofing ID concerns and not overlap into other areas of the Telephone Consumer Protection Act.

COHEAO'S membership appreciates the opportunity to provide comments for this Notice of Proposed Rule-making and continues to look forward to partnering with the Commission to address illegitimate robocalls and ID spoofing while also protecting the ability for legitimate businesses to utilize modern communication technology for legitimate purposes.

Sincerely

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